

Remarks

Reconsideration is requested in view of the above amendments and the following remarks. Figure 1 is amended to include a legend identifying it as prior art. Figure 2 is amended to distinguish the guide means 225 and 226 from the edges of the fixed assembly 222. Elements 225 and 226 are distinctly disclosed in the specification, for example at page 9, lines 17-18. The specification is amended to correct minor textual errors, and clarify the arrangement of the fixed assembly and movable panel. The abstract is amended for formal reasons. Claims 1-15 and 17-19 are canceled without prejudice. Claim 16 is amended to incorporate limitations formerly in claims 17-19. Claims 16-28 are amended for formal reasons. Claim 29 is added to recite the limitation that the assembly area extends the entire length of the upper part. This is supported by the disclosure, for example as illustrated in Figure 2. Claim 30 is added to claim an embodiment wherein the support elements are fixed directly to the fixed assembly. This is supported by the disclosure, for example at page 9, lines 14-16, wherein it is disclosed that the fixed assembly may be integrated with the guide rails. Claims 31-39 are added to recite the limitations of claims 20-29 as depending from claim 30. Claim 40 is added in place of the multiple dependency formerly in claim 27. Claim 41 is added to avoid a similar multiple dependency in claim 37. No new matter has been added. Claims 16 and 20-41 are pending in the application.

Figure 1 is objected to as not including a legend identifying it as prior art. Applicant respectfully traverses the objection. Applicants submit herewith an amended copy of Figure 1, including such a legend. Applicants believe the amendment overcomes the objection.

The drawings are objected to under 37 CFR 1.83(a) as not showing all elements claimed. In particular, the objection asserts that means of closing the window, as recited in claim 17, are not identified in the drawings. Applicant respectfully traverses the objection.

Claim 17 is canceled herein, rendering the objection moot. Although limitations formerly in claim 17 are incorporated herein into claim 16, Applicant notes that the term “means of closing the window” no longer appear in the pending claims. Applicant does not concede the correctness of the objection.

Claims 20-28 are objected to under 37 CFR 1.75(c) as being of improper dependent form. In particular, the claims are objected to as including multiple dependent claims that depend from other multiple dependent claims. Claims 20-28 are amended herein to avoid improper multiple dependency.

The specification is objected to as including improper form and language in the abstract. The abstract is amended herein. Applicant believes the amendments overcome the objection.

Claims 18-19 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter not disclosed in the specification. Applicant respectfully traverses the rejection. Claims 18-19 are canceled herein, rendering the rejection moot.

Limitations formerly in claims 18 and 19 are incorporated herein into claim 16. However, Applicant respectfully submits that all limitations recited in claim 16 are supported by the specification. Applicant notes as a preliminary matter that the fixed assembly 222 is mistakenly identified as element 221 at page 8, line 31. Similarly, page 8, line 34 omits the term “with”. The specification is amended herein to correct these errors. Applicant regrets any confusion following therefrom.

As disclosed, for example at page 7, lines 10-11, the upper part has a single-piece window 222. This window is disclosed to be fixed, for example at page 7, line 22. Applicant respectfully submits that the term phrase “Although this window 222 may be fixed” is not intended to imply that the window 222 may be movable, but rather that regardless of the fact that the window 222 is fixed, there is an opening in the upper part. Applicant also notes by way of support that the window 222 is subsequently identified in the specification as the “fixed assembly 222”. Applicant respectfully submits that this arrangement is visible in Figure 2. Nevertheless, Applicant regrets any confusion that may have resulted from the description. The specification is amended herein to clarify this arrangement.

In addition, Applicant respectfully submits that the phrase “it can be opened” refers not to the window 222, but to the upper part 22. That is, it is desirable that the upper part 22 defines opening 228 therein. Applicant respectfully submits that this arrangement is visible in Figure 2. Nevertheless, Applicant regrets any confusion that may have resulted from the description. The specification is amended herein to clarify the relationship between the upper part 22, the window 222, and the opening 228.

Thus, in response to the objection, Applicant respectfully submits that the fixed assembly 222 is fixed, and that the mobile panel 223 is movable, as noted above. The guide means 225 and 226 support the mobile panel 223, as disclosed for example at page 9, lines 17-18. The fixed assembly 222, being fixed, does not slide in guide means 225 and 226.

With regard to the illustration of the guide means 225 and 226, Applicant thanks the Examiner for his constructive criticism. Figure 2 is amended herein to distinguish the guide means 225 and 226 from the edges of the fixed assembly 222.

Applicant respectfully submits that the arrangement of elements 222 and 223 is described sufficiently in the specification to enable one skilled in the art to make and use the invention. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 17-19 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant respectfully traverses the rejection.

In particular, claim 17 is rejected for allegedly reciting a structure in the upper part as a fixed assembly that was previously recited in claim 16 as a window. Claim 17 is canceled herein, rendering the rejection moot. Applicant does not concede the correctness of the rejection. Applicant notes that although claim 16 is amended herein to incorporate limitations previously recited in claim 17, claim 16 does not positively recite a window in the upper part. Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 19 is rejected as including alternative language. Claim 19 is canceled herein, rendering the rejection moot. Applicant does not concede the correctness of the rejection. Applicant notes that although claim 16 is amended herein to incorporate limitations previously recited in claim 19, claim 16 does not recite alternative language. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 15, 16, and 17 are rejected 35 U.S.C. § 102(b) as being anticipated by Jackson et al. (U.S. Patent No. 2,567,153). Applicant respectfully traverses the rejection.

Claims 15 and 17 are canceled herein without prejudice, rendering that portion of the rejection moot.

The rejection characterizes Jackson as teaching a door having lower and upper parts, the upper part containing a window. In addition, the rejection characterizes the garnish molding 94 of Jackson as being equivalent to the assembly area of the claimed invention, and characterizes the pivot 48 of Jackson as being equivalent to means for closing the window.

However, even if the aforementioned components of Jackson are correctly characterized, which points Applicant does not concede, Applicant respectfully submits that Jackson does not anticipate the claimed invention for at least the reason that Jackson does not disclose or suggest upper and lower parts fixed together.

Applicant notes that, in the claimed invention according to claim 16, the lower and upper parts are disclosed to be fixed to each other at the assembly area. Jackson is specifically directed towards a removable window structure, for example as disclosed at column 1, lines 1-4. Jackson also specifically discloses and illustrates mechanisms useful exclusively for a removable connection. Applicant respectfully submits that this is precisely the opposite of the claimed invention, which is directed at least in part towards a door that may be easily and efficiently assembled into a solid whole.

Jackson nowhere discloses or suggests that lower and upper parts are fixed to one another. Applicant respectfully submits that fixing the window portion of Jackson to the remainder of the door would destroy the invention of Jackson, and that therefore Jackson could not fairly be considered to anticipate the claimed invention according to claim 16.

Furthermore, Applicant respectfully submits that Jackson does not disclose or even suggest a frame that is connected to a fixed assembly at only an inner surface of the fixed assembly, as recited by claim 16 of the claimed invention. Applicant notes that claim 30 similarly recites support elements connected to a fixed assembly at only an inner surface of the fixed assembly. Applicant respectfully submits that such a configuration is advantageous for at least the reason that it enables an openable window to be set flush with the remainder of a vehicle.

Applicant notes that a flush window mount is known, for example from EP - 0 778 168. However, Applicant respectfully submits that the use of this known device in the claimed invention is in itself patentable, for at least the reason that at least part of the inventive concept of the claimed invention lies in using this known device to improve an automobile vehicle door. It will be appreciated that a flush structure is advantageous in an automobile door for at least the reason of improved aerodynamics over an automobile vehicle door with a non-flush window.

However, Jackson does not disclose such a configuration, does not disclose any structure that might enable such a configuration, and does not even suggest that such a configuration would offer any advantage.

As the claimed invention according to claims 16 includes structure and functions neither disclosed nor even suggest by Jackson, Applicant respectfully submits that claim 16 is not anticipated by Jackson. Reconsideration and withdrawal of the rejection is respectfully requested.

Applicant notes that claim 30 recites limitations similarly to those in claim 16, and respectfully submits that Jackson would not anticipate claim 30 for at least the same reasons.

Claims 20-29 and 31-39 depend from claims 16 and 30 respectively, and include the limitations thereof. The preceding remarks apply equally to them, and Applicant respectfully submits that none of these dependent claims would be anticipated by Jackson for at least the reasons presented above.

Claims 15-19 are rejected 35 U.S.C. § 102(b) as being anticipated by Ojanen (U.S. Patent No. 5,829,195). Applicant respectfully traverses the rejection.

Claims 15 and 17-17 are canceled herein without prejudice, rendering that portion of the rejection moot.

The rejection characterizes the fabric frame 16 of Ojanen as being equivalent to the upper door of the claimed invention, and characterizes the half door 22 of Ojanen as being equivalent to lower door of the claimed invention.

However, even if the aforementioned components of Ojanen are correctly characterized, which points Applicant does not concede, Applicant respectfully submits that Ojanen does not anticipate the claimed invention for at least the reason that Ojanen does not disclose or suggest upper and lower parts fixed together.

Applicant respectfully submits that, like Jackson, Ojanen is specifically directed towards a removable window structure, for example as disclosed at column 1, lines 7-10. Ojanen also similarly discloses and illustrates specific mechanisms useful exclusively for a removable connection. Applicant respectfully submits that fixing the window portion of Ojanen to the remainder of the door would destroy the invention of Ojanen, and that therefore Ojanen could not fairly be considered to anticipate the claimed invention according to claim 16.

Furthermore, Applicant respectfully submits that Ojanen does not disclose or even suggest a frame that is connected to a fixed assembly at only an inner surface of the fixed assembly, as recited by claim 16 of the claimed invention.

As the claimed invention according to claims 16 includes structure and functions neither disclosed nor even suggest by Ojanen, Applicant respectfully submits that claim 16 is not anticipated by Ojanen. Reconsideration and withdrawal of the rejection is respectfully requested.

Applicant notes that claim 30 recites limitations similarly to those in claim 16, and respectfully submits that Ojanen would not anticipate claim 30 for at least the same reasons.

Claims 20-29 and 31-39 depend from claims 16 and 30 respectively, and include the limitations thereof. The preceding remarks apply equally to them, and Applicant respectfully submits that none of these dependent claims would be anticipated by Ojanen for at least the reasons presented above.

As all matters raised in the Office Action have now been addressed, Applicant respectfully submits that the pending claims are in condition for allowance. Favorable reconsideration is respectfully requested in view of the preceding amendments and remarks.


If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's primary attorney-of record, John J. Gresens (Reg. No. 33,112) at (612) 371-5265.

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	CHAUVIN	Examiner:	C. COHEN
Serial No.:	09/484,344	Group Art Unit:	3634
Filed:	JANUARY 18, 2000	Docket No.:	9320.95US01
Title:	MANUFACTURING PROCESS FOR AN AUTOMOBILE VEHICLE DOOR, AND THE CORRESPONDING DOOR		

Specification Paragraphs Marked to Show Changes

At page 7, lines 22-29:

Although this window 222 [may be] is fixed, it is [usually] desirable that [it can be opened (228) depending on] the upper part defines an opening 228 to accommodate the needs and wishes of the user. In this case, the opening system is formed in the upper part 22 independently of the lower part 21. It is advantageously a “flush” window like that developed by the applicant of this patent and for example described in patent application EP - 0 778 168.

At page 8, lines 30-34:

One example of such a window is shown in figure 2. Therefore, the window comprises a fixed assembly [221] 222, for example made of a transparent plastic material, in which an opening 228 has been formed that closes off or opens with a mobile panel.

At the Abstract:

[The invention relates to a] A process for manufacturing a door for an automobile vehicle, and doors obtained using the process. [characterized in that said] In the process, the door is made in two parts assembled independently of each other[:]. The two parts include [-] a lower part [(21),] without guide means for a moving window, and [-] an upper part containing a window[.,]. The [said] lower [(21)] and upper [(22)] parts are then fixed [(33)] to each other at an

assembly area of [said] the door, extending approximately horizontally and corresponding to the top of [said] the lower part and the bottom of [said] the upper part. [The invention also relates to doors obtained using the process.

Figure 2.]

Claims Marked to Show Changes

16. A door for an automobile vehicle, [characterized in that] wherein said door [is made in] comprises two parts assembled independently of each other: *Said two parts comprises*

- a lower part [(21)], without guide means for a moving window; and
- an upper part [(22) containing a window],

said upper part defining at least one opening therethrough, said upper part comprising

- a fixed assembly;
- at least one mobile panel
- an inner frame connected to said fixed assembly at only an inner surface of said fixed assembly;
- support elements connected to said inner frame, said support elements movably supporting said mobile panel such that said mobile panel is movable so as to open and close said at least one opening;

and [in that] wherein said lower [(21)] and upper [(22)] parts are [then] fixed [(33)] to each other at an assembly area of said door, said assembly area extending approximately horizontally and corresponding to [the] a top of said lower part and [the] a bottom of said upper part.

20. A door according to [claims 18 and 19, characterized in that] claim 16, wherein said support elements comprise ends, and wherein at least one of [the] said ends of at least one of said support [and/or guide] elements [(225, 226)] is fixed to said frame [(221) or said approximately vertical uprights of said closing means].

21. A door according to [any one of claims 16 to 20, characterized in that] claim 16, wherein said [step (31) in which a] lower part [(21) of the door is made advantageously includes

the assembly of] comprises an outer bodywork panel [(212)] and an inner trim [(213) on] and a structural element, said outer bodywork panel and inner trim connected to said structural element [(211)].

22. A door according to [any one of claims] claim 16 [to 21], [characterized in that] wherein said [attachment step (33) can involve at least one of the operations belonging to] lower and upper parts are fixed to each other using means selected from the group [including] consisting of gluing, welding, brazing [or] and riveting.

23. A door according to [any one of claims] claim 16 [to 22], [characterized in that] wherein said support elements movably support said [mobile] mobile panel [(223) is mounted on two support and/or guide elements (225, 226) so as to slide] such that said mobile panel slides in a plane approximately parallel to [the] a plane [formed] defined by said fixed assembly.

24. A door according to [any one of claims] claim 16 [to 23], [characterized in that] wherein said mobile panel is mounted so as to [fit in the] be coplanar with said plane [formed] defined by said fixed assembly [(222) in the closed position] when said mobile panel closes said at least one opening.

25. A door according to claim 24, [characterized in that the mechanism of the mobile panel (223) can be broken down into] said mobile panel is movable in two independent displacements:

- a locking/unlocking displacement perpendicular to [the] said plane [formed] defined by said fixed assembly, [and enabling passage from] wherein said mobile panel is displaceable between said plane [formed] defined by said fixed assembly [to] and a sliding plane approximately parallel to [the] said plane [formed] defined by said fixed assembly; and,
- a sliding displacement [by sliding in] wherein said mobile panel is displaceable within said sliding plane.

26. A door according to claim 24, [characterized in that] wherein said mobile panel [(223) has a continuous mechanism, such that the] is displaceable in a continuous displacement out of said plane [formed] defined by said fixed assembly [moves gradually], into a sliding plane approximately parallel to said plane [formed] defined by said fixed assembly, and within said sliding plane.

27. A door according to [either of claims] claim 25 [and 26], [characterized in that] wherein said sliding plane is located inside [the vehicle] said inner surface.

28. A door according to claim 23, [characterized in that] wherein said mobile panel is mounted so as to swing around an axis of rotation parallel to [the] said plane [formed] defined by said fixed assembly.

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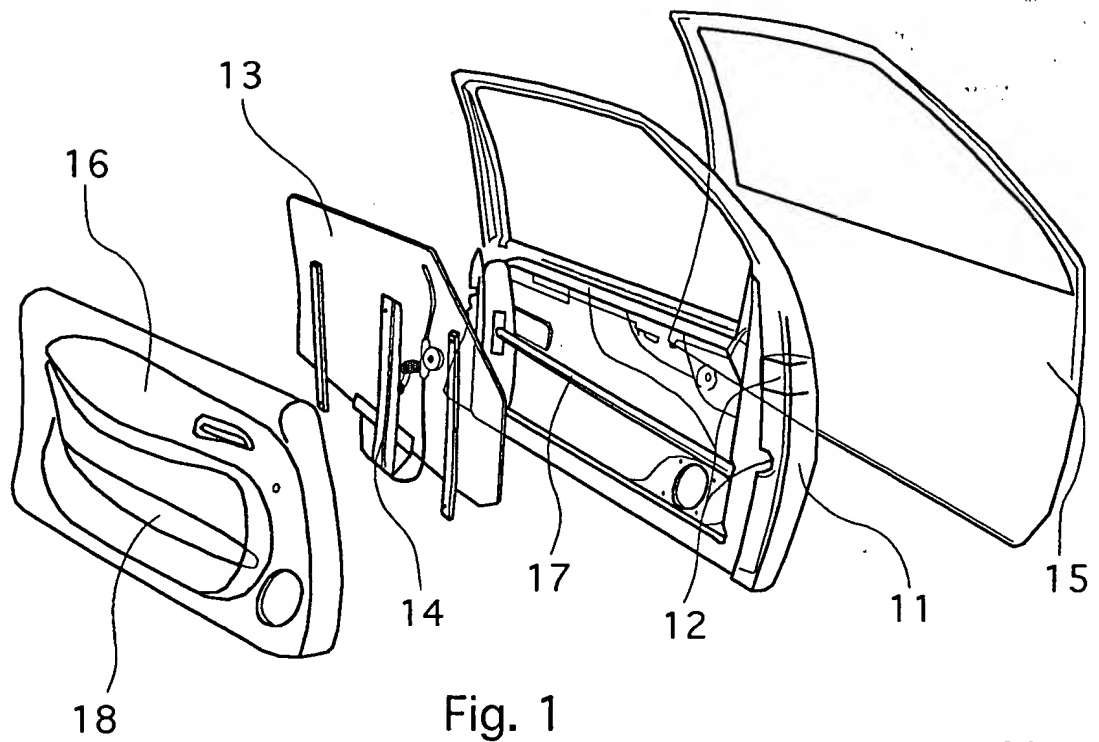


Fig. 1
PRIOR ART

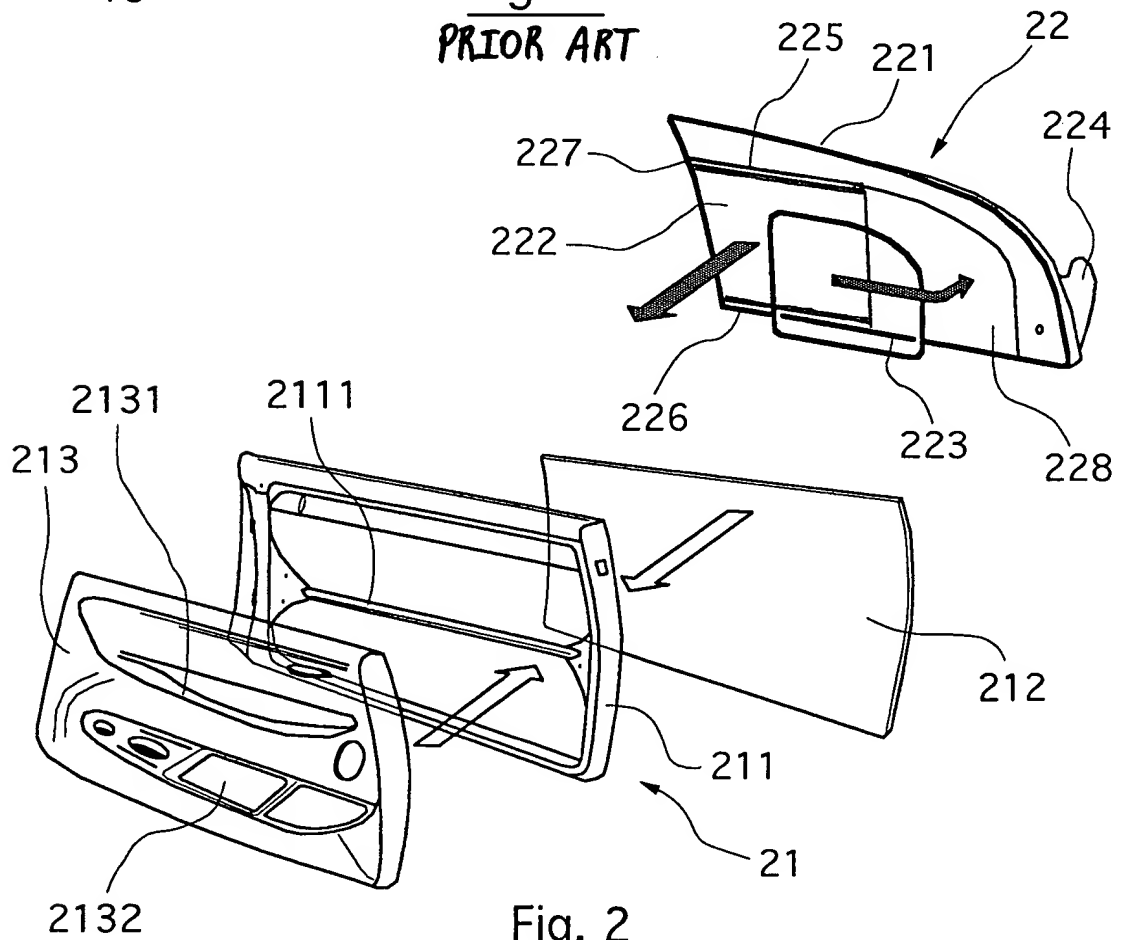


Fig. 2